

**SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
(ROAD HEARING)**

January 17, 2006

5:30 PM

In the absence of Mayor Guinta, Chairman Lopez called the meeting to order.

Chairman Lopez called for the Pledge of Allegiance, this function being led by Alderman Smith.

Chairman Lopez asked that we all say a little prayer for Hank Thibault one of our colleagues who is at Catholic Medical Center.

The Clerk called the roll. There were twelve Aldermen present

Present: Aldermen Roy, Gatsas, Long, Duval, Pinard, O'Neil, Lopez, Shea, DeVries, Garrity, Smith, and Forest

Absent: Aldermen Osborne and Thibault

As the Mayor had been detained, Alderman Gatsas moved to recess the meeting to allow the Mayor to arrive. Alderman Garrity duly seconded the motion.

Alderman O'Neil asked may I ask a question of the people who are here...are you under any time restraint...anyone this evening? No one present indicated issues with waiting.

A roll call vote taken on motion to recess. Aldermen Roy, Gatsas, Long, Duval, Pinard, O'Neil, Lopez, DeVries, Garrity and Smith voted yea. Aldermen Shea and Forest voted nay. Aldermen Osborne and Thibault were absent. The motion carried.

Mayor Guinta called the meeting back to order.

Mayor Guinta advised that the purpose of the road hearing is to hear those wishing to speak in favor of or in opposition to a proposed street discontinuance petition, followed by viewing the area of the petition and determination of the action to be taken on such petition. Such petition shall be addressed at which time the Public Works Director shall be requested to make a presentation following which those wishing to speak in favor will be heard, followed by those wishing to speak in opposition. Anyone wishing to speak must first step to the nearest microphone when recognized and state his/her name and address in a clear, loud voice for the record. Each person will be given only one opportunity speak and any questions must be directed to the Chair.

A. *Petition to discontinue two unnamed streets between West Penacook Street and West Brook Street*

Mayor Guinta requested Frank Thomas, Public Works Director, make a presentation.

Mr. Frank Thomas, Public Works Director, stated tonight we're hear to hear a petition to discontinue two unnamed streets which run in north/south direction between West Brook Street and West Penacook Street east of Canal...between Canal and Elm Streets. These streets run across property that's presently occupied by Public Service. The streets in question were dedicated on an undated Amoskeag plot plan, no exceptions or returns of the layout for these streets were found in our records and the records of the City Clerk's. It is possible that the streets were laid out by the Town of Derryfield or the Town of Manchester before 1846. These paper streets have been used for a long period of time by Public Service Company and its predecessors. The 1892 Atlas shows buildings located in the 40 foot wide street dedication. In earlier times, these dedicated ways may have attained public status by collective use, therefore, an action to discontinue the streets is recommended by City Solicitor's office. We do support these discontinuances. As I mentioned they basically do run through property that's been occupied by Public Service of New Hampshire. In fact, you'll see tonight that there's a building located on one of these paper streets. These streets are noted in your agenda, also notes some of the structures. Again, the city does support the discontinuances.

Mayor Guinta asked are there any questions?

Alderman DeVries stated we were in receipt of correspondence from the railroad indicating that they had some questions, have you had any further correspondence?

Mr. Thomas replied that is correct. Kevin Sheppard has corresponded with the railroad...basically their interest was to determine what proximity it was in relation to their facilities. So, they have corresponded back to us that they don't have a problem with this.

Alderman DeVries stated so you did receive something in writing from them or just a verbal verification.

Mr. Thomas stated that is correct.

Mayor Guinta called for those wishing to speak in favor.

Jeffrey Kevan, TF Moran, Inc., 48 Constitution Drive, Bedford, NH, stated We're the civil engineers representing PSNH. With me is Christopher J. Allwarden and Pat McDermott from PSNH as well and we'll be glad to answer any questions you may have. Basically PSNH has been on the property since 1930...these passageways internally act as circulation in between the buildings and this is just for clearing title on them.

Mayor Guinta called for those wishing to speak in opposition. There were none.

On motion of Alderman Forest, duly seconded by Alderman Shea, it was voted to recess the hearing and proceed to view the area of petition presented.

Mayor Guinta called the meeting back to order at the site of the petition.

Item 4A *Petition to discontinue two unnamed streets between West Penacook Street and West Brook Street*

Present at the site were: Mayor Guinta; Aldermen Roy, Gatsas, Long, Duval, Pinard, Shea, DeVries, Garrity, Smith, Forest, O'Neil and Lopez.

Absent were: Aldermen Osborne and Thibault

Mayor Guinta requested Mr. Thomas to address the Board regarding the petition.

Mr. Thomas again explained the area of the petition requested to be discontinued.

After viewing the site of the petition, Alderman Long moved to discontinue two unnamed streets between West Penacook Street and West Brook Street as petitioned, subject to maintaining any and all easements, which may exist at this time. Alderman DeVries duly seconded the motion. Mayor Guinta called for a vote on the motion. There being none opposed, the motion carried.

TABLED ITEM

7. Petition to discontinue a portion of Union East Back Street.
 (Tabled 12/19/2005 pending report from the Committee on Community Improvement and the City Clerk's office.)

This item remained tabled.

This being a special meeting of the Board, no further business was presented and on motion of Alderman Roy, duly seconded by Alderman DeVries, it was voted to adjourn.

A True Record. Attest.

City Clerk